



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do **NOT** use for expedited rule making

Agency: Department of Labor and Industries

Subject of possible rule making: Retrospective Rating Program

Labor and Industries is considering making changes to several existing rules applicable to the Retrospective Rating Program codified in Chapter 296-17 WAC, including adding a new provision that would allow L&I to accept copies of records produced from paperless record management systems. A new rule is also being considered that explains the process that L&I will follow when distributing a retro refund directly to the members of a retrospective rating group instead of the sponsoring organization.

(a) Statutes authorizing the agency to adopt rules on this subject:

RCW 51.18.010

(b) Reasons why rules on this subject may be needed and what they might accomplish:

Employers and organizations that participate in the retrospective rating program have asked L&I to further clarify certain existing retrospective rating program rules. The subject rules are needed to administer the retrospective rating program authorized by RCW 51.18.010.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

There are no other state and or federal agencies that regulate this subject.

(d) Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

L&I will work directly with the business community that participates in retrospective rating to develop any change and/or new rule. Draft ideas were shared with the business community at the retro advisory committee meeting on April 9, 2003 and endorsed by that committee. L&I will further refine the ideas and present them again at the next retro advisory committee meeting on September 28, 2003, to be held in the L&I office building in Tumwater, Washington. The meeting is scheduled to start at 1 PM. Formal rule changes will be developed after the input is received at that meeting.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Parties interested in the development of the rules can view the draft ideas at the retro website: <http://www.lni.wa.gov/retro/> or they can contact Mark Matthies at 360-902-4838 to receive a printed copy.

Interested parties can participate in the rule development process by attending the retro advisory committee meeting above, or by sending written comments to:

Retrospective Rating Program

PO Box 44180

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Fax: 360-902-4258, E-mail: retro@LNI.wa.gov

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Paul Trause

SIGNATURE

TITLE

Director

DATE

September 2, 2003

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